

tution so as to prohibit the Legislature from granting any Private relief claims after November 1st, 1862, was read.

Mr. Stockdale then withdrew the substitute.

The original resolution was then adopted by the following vote :

YEAS.—Messrs. Burroughs, Erath, Caldwell, Graham, Grimes, Guinn, Herbert, Lott, Martin, Pirkey, Quinan, Russell, Taylor of Cass, Walker, Wigfall and Wren—16.

NAYS.—Messrs. Britton, Fall, Hyde, McCulloch, Maverick, Paschal, Potter, Shepard, Stockdale, Taylor of Fannin, Throckmorton and Truitt—12.

The motion of Mr. McCulloch to strike out the second section of a bill supplemental to an act to perfect land titles in Castro's Colony, approved January 22, 1850, special order for to-day, was read.

Mr. McCulloch then withdrew his motion.

Mr. Paschal offered a substitute for the second section of the bill ; adopted by the following vote :

YEAS—Messrs. Britton, Burroughs, Caldwell, Erath, Guinn, Hyde, Lott, McCulloch, Martin, Maverick, Paschal, Pirkey, Potter, Shepard, Stockdale, Taylor of Cass, Throckmorton, Truitt, Walker, Wigfall and Wren—22.

NAYS—Messrs. Fall, Herbert, Quinan and Russell—4.

On motion of Mr. Taylor of Cass, the Senate adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, Dec. 16, 1857.

Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Grimes presented the petition of Robert McIntire ; referred to the committee on the Judiciary.

Mr. Erath presented the petition of sundry citizens, praying the investigation of certain land titles ; referred to the committee on the Judiciary.

Mr. Truitt presented the petition of William Cravens ; referred to the committee on Claims and Accounts.

Mr. Britton, chairman of the committee on the Militia, reported back to the Senate an act to amend a joint resolution for the relief of a company of Rangers, and recommended its passage.

Mr. Burroughs, from the committee on Internal Improvements, made the following report:

The committee on Internal Improvements, to whom was referred the memorial of the Houston Tap and Brazoria Railway company, praying relief, have had the same under consideration, and instruct me to report: The relief asked by the company is an extension of time until 1st September, 1861, to complete the last section of their road from Columbia to the Colorado, an estimated distance of fifty miles, in three years from 1st September, 1856, besides prosecuting the section of the road from Houston to Columbia, a distance of 43 miles. This, your committee believe, is a much more burthensome condition than has been imposed upon any other company. This company has prosecuted its road with great vigor—has some ten miles completed—has forty-three miles under contract—has the whole route located—and has had, during the last few months, about five hundred hands at work upon the road.

Your committee believe them entitled to the relief asked for, and report the accompanying bill to amend the act which incorporates the company, and recommend its passage.

A bill to be entitled an act to amend an act entitled an act to incorporate the Houston Tap and Brazoria Railway Company, passed September 1st, 1856; read first time.

Mr. Lott, chairman of the committee on the Penitentiary, reported back to the Senate, a bill referred to it, to be entitled an act making a contingent appropriation for the support of the State Penitentiary, and recommended the passage of the same.

Mr. Potter, chairman of the committee on the Judiciary, to whom was referred the bill to be entitled an act to incorporate the Western Texas Insurance company, reported a substitute for the same, and recommended the adoption of the substitute and the passage of the bill.

Mr. Pirkey, from the Joint committee appointed to make arrangements for the inauguration of the Governor and Lieut. Governor elect, on the 21st inst., on the part of the Senate, reported:

That the inauguration shall take place in the Hall of the House of Representatives, at 11 o'clock, A. M.; that the two branches of the Legislature shall meet in the House  $\frac{1}{4}$  before 11 o'clock; the Speaker of the House in the Chair, and the President, *pro tem.*, of the Senate on his right; that the

Chief Justice and Associate Justices of the Supreme Court, with the Attorney General, shall occupy seats on the platform before the Speaker's Chair; that the Heads of Departments, and officers of the late Republic of Texas, shall occupy seats on the left of the platform; that the Senators shall occupy seats on either side of the aisle of the House, and the Representatives as near as practicable to the Speaker's Chair; that the ladies shall occupy seats within the bar of the House; and that citizens shall occupy seats without the bar and in the Gallery. The retiring Governor, the Governor and Lieutenant Governor, with the committee, will enter the House at 11 o'clock, and be seated—the retiring Governor and Governor elect on the right of the Speaker's Chair, and the Lieutenant Governor on the left. The retiring Governor will deliver his valedictory, and immediately after the Governor and Lieutenant Governor elect will have the oath of office administered to them respectively, by the Chief Justice of the Supreme Court.

Mr. Pirkey, chairman of the committee on Public Lands, made the following report:

The committee on Public Lands have considered a bill to create every county into a separate land district, and a majority of said committee have instructed me to return the same with the following substitute, which they recommend to be adopted and passed. Respectfully submitted.

Mr. Pedigo introduced a bill to incorporate the Eastern Texas Railroad company; read first and second times and referred to the committee on Internal Improvements.

Mr. Shepard introduced a bill supplemental to an act to incorporate the Texas Iron, Steel and Copper Manufacturing, Mining and Trading Company, passed September 1st, 1856; read first and second times and referred to the committee on State Affairs.

On motion of Mr. Potter, the rule was suspended, and a bill supplemental to and amendatory of an act to ascertain the legal claims for money and lands against the State, was taken up, read and ordered to be engrossed.

A message was received from the House, informing the Senate that the House had passed a Senate's bill for the relief of Luciano Navarro, and a bill originating in the House, to authorize the Comptroller of Public Accounts to dispose of one hundred thousand dollars of the United States five per cent

bonds; and that the House had adopted the following resolution:

*WHEREAS*, It is the opinion of this body that the present existing laws, providing for the payment of taxes upon real estate, are defective; and

*Whereas*, It is the opinion of this body that a large portion of the unoccupied, but appropriated domain of the State, is either not paying any tax at all, or at a very inconsiderable rate. Be it therefore,

*Resolved*, the Senate concurring, that a Joint Select committee, to consist of three on the part of the Senate, and five on the part of the House, be appointed by their respective bodies, whose duty it shall be to examine into the propriety and necessity of so amending our tax laws as to provide a more efficient mode of compelling the payment of taxes upon real estate, and report by bill or otherwise.

And that Messrs. Evans of McLennan, Reeves, Lewter, Haynes and Howerton, were appointed said committee on the part of the House.

#### ORDERS OF THE DAY.

A bill supplemental to an act to perfect land titles in Castro's Colony, which was under consideration on yesterday when the Senate adjourned, was read.

On motion of Mr. Hyde, the bill was amended by striking out section 3, and inserting in lieu thereof:

"That the surveys made and field-notes heretofore returned by H. L. Upshur, of lands in Castro's Colony, be, and the same are hereby legalized, and patents may be granted on such field-notes and surveys in the same manner as if made after the passage of this act: Provided, that this section shall not be so construed as to make legal or valid any survey or field-notes which were illegal or invalid when made.

Mr. Walker offered the following amendment:

"Provided, that nothing herein contained shall be so construed as to authorize the issuance of a greater number of certificates than forty-two in all, nor shall it be so construed as to relieve the contractor from complying strictly and rigidly with the terms and conditions of his contract with the Republic of Texas."

Mr. Paschal moved to lay the amendment on the table.

Mr. Russell moved to amend by adding: "and the bill."

Mr. McCulloch called for a division of the question, and the

yeas and nays being taken, the amendment was laid on the table by the following vote :

YEAS—Messrs. Britton, Caldwell, Hyde, McCulloch, Maverick, Paschal, Pedigo, Pirkey, Quinan, Scarborough, Shepard, Stockdale, Taylor of Fannin, Taylor of Houston, Throckmorton and Wigfall—16.

NAYS—Messrs. Burroughs, Erath, Fall, Graham, Guinn, Herbert, Lott, Martin, Russell, Taylor of Cass, Truitt and Walker—12.

The question recurring on the motion to lay the bill on the table, it was lost by the following vote :

YEAS—Messrs. Burroughs, Erath, Fall, Guinn, Herbert, Lott, Martin, Russell, Taylor of Cass, Truitt, Walker and Wren—12.

NAYS—Messrs. Britton, Caldwell, Hyde, McCulloch, Maverick, Paschal, Pedigo, Pirkey, Quinan, Scarborough, Shepard, Stockdale, Taylor of Fannin, Taylor of Houston, Throckmorton and Wigfall—16.

My. Guinn offered the following amendment :

“Provided, that no certificate shall issue to any colonist under the provisions of this act, until he or she shall prove by two good and responsible witnesses, that he or she emigrated and settled as a colonist, before February 15, 1847, and that he or she resided in said colony three years consecutively, and are now residents of said Colony, or the State of Texas, and that he or she has not received any land as colonists of Fisher & Miller's, or any Colony, or from the Republic or State of Texas.

Mr. Throckmorton moved the previous question.

Mr. Guinn moved a call of the Senate.

On motion of Mr. Burroughs, the Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, December 17th, 1857.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present—Journal of yesterday was read and adopted.

Mr. Russell, Chairman of the committee on Engrossed Bills, reported a bill supplementary to and amendatory of an act to ascertain the legal claims for money and lands against the State, correctly engrossed.